

**HOUSE JOURNAL
58TH LEGISLATURE
EIGHTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
April 23, 2003

House Chambers
State Capitol

House convened at 8:30 a.m. Mr. Speaker in the Chair. Invocation by Representative Small-Eastman. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

UNFINISHED BUSINESS

The Speaker appointed the following members to the conference committee on **HB 424**:

Representative Bitney, Chair
Representative Roberts
Representative Jent

The Speaker appointed the following members to the Free Conference Committee on **HB 559**:

Representative Brueggeman, Chair
Representative Musgrove
Representative Gallus

The Speaker had conferred with the Rules Committee regarding either House requesting the return of a bill. The Rules Committee ruled that a formal letter would need to be written to the House Leader followed with a motion on the House floor requiring a majority vote.

The Speaker responded to Minority Leader Wanzenried's inquiry about **HB 363**. The rules would need to be suspended for the late transmittal and this motion would require a 2/3 vote.

Minority Leader Wanzenried further inquired about **SB 493** and whether it would also require this same procedure. The Speaker will look into it.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman):

4/23/2003

Correctly printed: **SB 492, SJR 32.**

Correctly enrolled: **HB 705, HB 735, HB 741, HB 743.**

Examined by the sponsor and found to be correct: **HB 705, HB 735, HB 741, HB 743.**

Signed by the Speaker at 8:10 a.m., April 23, 2003: **HB 3, HB 4, HB 18.**

Signed by the Speaker at 11:45 a.m., April 23, 2003: **HB 705, HB 735, HB 741, HB 743.**

Delivered to the Governor for approval at 9:25 a.m., April 23, 2003: **HB 3, HB 4, HB 18.**

Delivered to the Governor for approval at 12:50 p.m., April 23, 2003: **HB 705, HB 735, HB 741, HB 743.**

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MESSAGES FROM THE GOVERNOR

April 22, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 94** sponsored by Representative Lawson, **House Bill 185** sponsored by Representative Wilson, **House Bill 408** sponsored by Representative Peterson et al., **House Bill 441** sponsored by Representative Cyr et al., **House Bill 478** sponsored by Representative Peterson, and **House Bill 653** sponsored by Representative Lambert et al. on April 22, 2003.

Sincerely,

JUDY MARTZ
Governor

April 22, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Mood and President Keenan:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 5, "**AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2005; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING THAT FOR THE PURPOSE OF FOSTERING PRIVATE EFFORTS TO RESTORE, MAINTAIN, AND DEVELOP THE OLD MAIN BUILDING AT THE MONTANA VETERANS' HOME, THE DEPARTMENT OF ADMINISTRATION MAY WAIVE REQUIREMENTS PERTAINING TO BIDDING AND BONDING FOR STATE BUILDING PROJECTS IN TITLE 18, MCA, TO LABOR REQUIREMENTS IN TITLE 18, MCA, AND TO CONTRACTOR REGISTRATION IN TITLE 39, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE**" for the following reasons.

Section 2. Capital projects appropriations. As passed, House Bill No. 5 Section 2, reads that the Department of Administration, for the purpose of fostering restoration, maintenance, and development of the project at the Montana Veteran's Home in Columbia Falls, may waive the requirements pertaining to bidding and bonding for

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State building projects in Title 39. A technical amendment must be made to strike Title 39 and insert Title 18. Specifically, Section 2, (2)(a)(i) should read that the Department of Administration...may waive...,the requirements pertaining to: bidding and bonding for state building projects in Title 18.

I have enclosed my amendment to that effect. Please be advised that Representative Kasten, the sponsor of the bill, has been informed of my recommendation and has no objections.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 5

1. Page 4, line 18.

Strike: "39"

Insert: "18"

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The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

Dear Senator Keenan and Representative Mood:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill No. 609, "AN ACT HONORING THE SACRIFICE, PATRIOTISM, AND LONG TRADITION OF MILITARY PARTICIPATION BY MONTANA'S AMERICAN INDIAN CITIZENS BY REQUIRING SPECIFIC RECOGNITION OF MONTANA'S PAST, PRESENT, AND FUTURE AMERICAN INDIAN WAR VETERANS IN THE CONSTRUCTION OF THE AMERICAN INDIAN MONUMENT AND TRIBAL FLAG CIRCLE; AMENDING SECTION 22-2-601, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," without my signature and recommend the attached amendment for the following reason.

House Bill No. 609 to provide a contingent effective date. I recommend that House Bill No. 609 be amended as follows: This act is effective on the date that the state treasurer certifies to the governor that sufficient private funds have been received to finance the construction of the monument and tribal flag circle. The state treasurer shall provide a copy of the certification to the code commissioner.

I have enclosed my amendment to that effect. Please be advised that Representative Windy Boy, the sponsor of the bill, has been informed of my recommendation and has no objections.

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I urge your concurrence in the amendment.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 609

1. Title, line 11.

Strike: "AN IMMEDIATE"

Insert: "A CONTINGENT"

2. Page 2, line 23.

Strike: "passage and approval"

Insert: "the date that the state treasurer certifies to the governor that sufficient private funds have been received to finance the construction of the monument and tribal flag circle. The state treasurer shall provide a copy of the certification to the code commissioner"

April 22, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, MT 59620

Re: Senate Bill 370

Dear President Keenan and Speaker Mood:

In accordance with the powers vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with an amendment Senate Bill 370, "AN ACT REVISING WHICH ENTITIES PAY FOR THE MEDICAL EXPENSES OF INMATES HELD IN COUNTY DETENTION FACILITIES; PROVIDING CIRCUMSTANCES UNDER WHICH THE INMATE IS RESPONSIBLE FOR PAYMENT; REQUIRING THE HEALTH CARE PROVIDER TO COLLECT PAYMENTS FOR TREATMENT FROM INMATES WHO ARE ABLE TO PAY; PROVIDING CIRCUMSTANCES UNDER WHICH THE COUNTY IS RESPONSIBLE FOR PAYMENT; AMENDING SECTIONS 7-32-2222 AND 7-32-2245, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," for the following reason:

I have no concerns with the objectives of Senate Bill No. 370, or with its specific measures. I recommend, however, that Section 2 (3)(C) be amended to read that if the health care provider is reimbursed by the third-party payor *or by the inmate* or after the provider has been reimbursed by the county, the provider shall refund to the county the amount that the provider had been paid by the county for the services provided to the inmate.

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I have enclosed my amendment to that effect. Please be advised that Senator Gebhardt, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 370

1. Page 3, line 2.
Following: "BY"
Insert: "the inmate or"

April 22, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, MT 59620

Re: Senate Bill 381

Dear President Keenan and Speaker Mood:

In accordance with the powers vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with an amendment Senate Bill 381, " AN ACT PROVIDING THAT THE USE OF ARBITRATION FOR DISPUTE RESOLUTION UNDER THE NATURAL STREAMBED AND LAND PRESERVATION ACT OF 1975 IS NOT MANDATORY; AMENDING SECTIONS 75-7-111, 75-7-112, 75-7-113, 75-7-116, 75-7-117, AND 75-7-121, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," for the following reason.

Section 75-7-112, MCA, Section 2 gives the applicant 15 days to choose either arbitration or judicial review. The conservation district supervisor and the department of fish, wildlife and parks representative are limited to 5 days to give notice of arbitration. If arbitration is selected by a person other than the applicant and then the applicant attempts to seek a judicial review a conflict of laws problem is created. In other words, both arbitration and judicial review have been invoked and the question becomes which process should be used. The DNRC recommends that the applicant's choice of remedy should prevail.

The following attached amendments will provide the following:

- (1)The applicant's choice of filing a petition for judicial review will prevail over a fish, wildlife and parks or a conservation districts representative's choice of filing for arbitration.

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(2) The effective date would be moved to give the local, state and federal agencies the time to develop the necessary applications, etc. to implement the law as amended by SB 381.

Please be advised that the Department of Natural Resources and Conservation concur with this amendment. Further, please be advised that Senator Keenan, the sponsor of the bill, has been informed of my recommendation and has no objection.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 381

1. Title, line 6.

Following: ";"

Insert: "AND"

2. Title, line 7.

Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 5, line 23.

Following: "Review."

Insert: "(1)"

4. Page 5, line 26.

Insert: "(2) An applicant's choice of the judicial review remedy prevails over any other team member's request for arbitration regardless of whether arbitration was requested prior to the filing of a petition for judicial review by the applicant."

5. Page 5, line 27.

Strike: section 7 in its entirety

Majority Leader Brown moved that the House recess until 9:15 a.m. for caucuses. Motion carried.

House recessed at 8:45 a.m.

House reconvened at 9:19 a.m. All members present. Quorum present.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on House Bill 13

Report No. 1, April 22, 2003

Mr. Speaker and Mr. President:

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We, your Free Conference Committee met and considered **House Bill 13** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 13** (reference copy -- salmon) be accepted by the House.

For the House:

A. Olson, Chairman
Barrett

For the Senate:

Zook, Chairman
Tash

FREE CONFERENCE COMMITTEE
on **Senate Bill 252**
Report No. 1, April 17, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 252** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 252** (reference copy -- salmon) be amended as follows:

1. Title, page 1, lines 7 through 8.

Strike: "EACH" on line 7

Insert: "CERTAIN"

Strike: "ELECTION"

Insert: "ELECTIONS"

Strike: "AND" on line 7 through "PROVIDED" on line 8

2. Page 2, lines 8 through 9.

Strike: "for as long" on line 8 through "application" on line 9

Following: "."

Insert: "However, the application is valid for only one federal election and all other elections until the next federal election."

3. Page 3, line 17.

Strike: "administration"

Insert: "administrator"

Strike: "."

4. Page 3, line 18.

Strike: "(A)"

Following: "request"

Strike: "that an"

Strike: "ballot,"

5. Page 3, lines 19 through 23.

Strike: "when available" on line 19 through "BALLOT" on line 23

Insert: "ballots for subsequent elections, as provided in 13-13-212(5)"

Following: "FORM"

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Insert: ", or another form prescribed by the secretary of state,"

Strike: "PROVIDE"

Insert: "verify"

6. Page 3, line 24.

Following: "ADDRESS"

Insert: "and must be returned with the voted absentee ballot"

Strike: "INCLUDED"

Insert: "used"

For the Senate:

Butcher, Chairman
Stapleton

For the House:

Sinrud, Chairman
B. Olson

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Parker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 727 - Senate Amendments - Representative E. Clark moved Senate amendments to **HB 727** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 90 - Senate Amendments - Representative E. Clark moved Senate amendments to **HB 90** be concurred in. Motion carried as follows:

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Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

SB 415 - Representative Mood moved **SB 415** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gibson, Gillan, Haines, Hawk, Hedges, Hurwitz, Jacobson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 70

Noes: Bergren, Bixby, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Gallus, Galvin-Halcro, Golie, Gutsche, Harris, Jackson, Jayne, Juneau, Kaufmann, Laslovich, Lindeen, Matthews, Musgrove, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Witt.
Total 30

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 101 - Governor's Amendments - Representative Keane moved Governor's amendments to **SB 101** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen,

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Total 99

Noes: Smith.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 56 - Conference Committee Report No. 1 - Representative B. Thomas moved the Conference Committee report to **HB 56** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Jayne.

Total 1

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

HB 190 - Representative Laszloffy moved consideration of **HB 190** be placed below HB 298 on the second reading board. Motion carried.

HB 197 - Free Conference Committee Report No. 1 - Representative Becker moved the Free Conference Committee report to **HB 197** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen,

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Total 99

Noes: Jayne.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 201 - Free Conference Committee Report No. 1 - Representative Jent moved the Free Conference Committee report to **HB 201** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 211 - Free Conference Committee Report No. 1 - Representative Newman moved the Free Conference Committee report to **HB 211** be adopted. Motion carried as follows:

Ayes: Andersen, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Dowell, Everett, Facey, Fisher, Fuchs, Gallik, Gallus, Gibson, Gillan, Haines, Harris, Hedges, Hurwitz, Jackson, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Witt, Younkin, Mr. Speaker.

Total 68

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Noes: Ballantyne, Balyeat, Bergren, Bixby, Buzzas, Callahan, P. Clark, Cohenour, Dickenson, Erickson, Forrester, Fritz, Galvin-Halcro, Golie, Gutsche, Hawk, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lindeen, Musgrove, Ryan, Sales, Small-Eastman, Wanzenried, Windy Boy.

Total 30

Excused: None.

Total 0

Absent or not voting: Franklin, Wilson.

Total 2

HB 259 - Conference Committee Report No. 1 - Representative Maedje moved the Conference Committee report to **HB 259** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Fisher, Gillan, Jayne.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 277 - Conference Committee Report No. 1 - Representative Lindeen moved the Conference Committee report to **HB 277** be adopted. Motion carried as follows:

Ayes: Andersen, Barrett, Bergren, Bitney, Bookout-Reinicke, Branae, Brueggeman, Callahan, E. Clark, Devlin, Dickenson, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gibson, Golie, Haines, Hedges, Hurwitz, Jackson, Kaufmann, Lake, Lambert, Lehman, Lenhart, Lindeen, Malcolm, Matthews, McKenney, Morgan, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 60

Noes: Ballantyne, Balyeat, Becker, Bixby, D. Brown, R. Brown, Buzzas, Carney, P. Clark, Cohenour, Cyr, Dowell, Everett, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Harris, Hawk, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lange, Laslovich, Laszloffy, Lawson, Lewis, Maedje, Mendenhall, Musgrove, Newman, Sales, Waitschies, Weiss, Witt.

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Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 283 - Free Conference Committee Report No. 1 - Representative Fuchs moved the Free Conference Committee report to **HB 283** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.

Total 80

Noes: Bixby, Buzzas, Carney, Cohenour, Dowell, Gallik, Galvin-Halcro, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Malcolm, Musgrove, Parker, Raser, Small-Eastman, Smith, Windy Boy.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 190 and HB 298 - Free Conference Committee Reports No. 1 - Representative Laszloffy moved consideration of the Free Conference Committee Reports to **HB 190 and HB 298** be placed at the bottom of the second reading board. Motion carried.

HB 403 - Conference Committee Report No. 1 - Representative Keane moved the Conference Committee report to **HB 403** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 96

Noes: Balyeat, Everett, Sales, Sinrud.

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Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 509 - Free Conference Committee Report No. 1 - Representative A. Olson moved the Free Conference Committee report to **HB 509** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Jayne, Morgan.

Total 2

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

HB 536 - Free Conference Committee Report No. 1 - Representative Brueggeman moved the Free Conference Committee report to **HB 536** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, E. Clark, P. Clark, Devlin, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 76

Noes: Bixby, Buzzas, Carney, Cohenour, Cyr, Dickenson, Erickson, Fritz, Fuchs, Gallik, Galvin-Halcro, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lindeen, Musgrove, Newman, Sales, Small-Eastman, Weiss.

Total 24

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 564 - Free Conference Committee Report No. 1 - Representative Lindeen moved the Free Conference Committee report to **HB 564** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Roberts, Rome, Ross, Ryan, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Balyeat, Everett, Fuchs, Hawk, Kasten, Ripley, Sales, Shockley, Waitschies.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 642 - Conference Committee Report No. 1 - Representative Devlin moved the Conference Committee report to **HB 642** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Balyeat, Bixby, Gallik, Jayne, Kaufmann, Sales.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 680 - Conference Committee Report No. 1 - Representative Noennig moved the Conference Committee report to **HB 680** be adopted. Motion carried as follows:

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Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: D. Brown, Jayne.
Total 2

Excused: None.
Total 0

Absent or not voting: R. Brown.
Total 1

HB 689 - Free Conference Committee Report No. 1 - Representative A. Olson moved the Free Conference Committee report to **HB 689** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, E. Clark, Cyr, Devlin, Facey, Fisher, Forrester, Franklin, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schruppf, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 59

Noes: Balyeat, Becker, Bergren, Bixby, Branae, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Everett, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lindeen, Musgrove, Parker, Pattison, Raser, Ryan, Sales, Shockley, Sinrud, Small-Eastman, Wanzenried, Weiss, Wilson.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 31 - Free Conference Committee Report No. 1 - Representative Facey moved the Free Conference Committee report to **HJR 31** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann,

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Total 98

Noes: Everett.

Total 1

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

SB 47 - Conference Committee Report No. 1 - Representative Mendenhall moved the Conference Committee report to **SB 47** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 92

Noes: Dickenson, Gallik, Gillan, Golie, Harris, Jayne, Sales, Smith.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 57 - Free Conference Committee Report No. 1 - Representative B. Thomas moved the Free Conference Committee report to **SB 57** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy

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Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 126 - Free Conference Committee Report No. 1 - Representative Devlin moved the Free Conference Committee report to **SB 126** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Waitschies.
Total 1

HB 298 - Free Conference Committee Report No. 1 - Representative Younkin moved the Free Conference Committee report to **HB 298** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Galvin-Halcro, Gillan, Golie, Jayne, Juneau, Kasten.

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Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 190 - Free Conference Committee Report No. 1 - Representative Younkin moved the Free Conference Committee report to **HB 190** be adopted. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Facey, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 57

Noes: Ballantyne, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Brueggeman moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Parker moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, E. Clark, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin.

Total 70

Noes: Bergren, Callahan, Carney, P. Clark, Cohenour, Dowell, Erickson, Franklin, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Lindeen, Musgrove, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson.

Total 28

Excused: None.

Total 0

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Absent or not voting: Lehman, Mr. Speaker.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 2, as amended by the Senate, adopted as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fritz, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Ripley, Roberts, Rome, Ross, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 53

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lenhart, Lindeen, Matthews, Musgrove, Parker, Raser, Rice, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 47

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 44 adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 92

Noes: Everett, Franklin, Lambert, McKenney, Rome, Steinbeisser, Waitschies, Witt.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HJR 45 failed as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lewis, Lindeen, Musgrove, Newman, Noennig, Parker, Pattison, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 49

Noes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 51

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 261, as amended by the Senate, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jent, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Matthews, McKenney, Mendenhall, Musgrove, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Small-Eastman, Steinbeisser, Stoker, Thomas, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 71

Noes: Balyeat, Becker, D. Brown, Buzzas, P. Clark, Everett, Franklin, Galvin-Halcro, Golie, Hawk, Jackson, Jayne, Juneau, Kasten, Laszloffy, Lindeen, Maedje, Malcolm, Morgan, Newman, Pattison, Ryan, Sales, Shockley, Sinrud, Smith, Wagman, Wanzenried, Weiss.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 539, as amended by the Senate, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen,

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Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 722, as amended by the Senate, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Devlin, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallus, Gillan, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 73

Noes: Balyeat, Bixby, Branae, Cohenour, Cyr, Dickenson, Dowell, Erickson, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Jacobson, Jayne, Keane, Laszloffy, Lenhart, Lindeen, Musgrove, Parker, Raser, Ryan, Sales, Shockley, Wilson.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 767 passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

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Noes: Balyeat, Bixby, Erickson, Jayne, Sales.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 489 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 31 concurred in as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, Cohenour, Devlin, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 75

Noes: Ballantyne, Bergren, Branae, Callahan, P. Clark, Cyr, Dickenson, Dowell, Facey, Franklin, Gallik, Galvin-Halcro, Golie, Jackson, Jayne, Kaufmann, Keane, Laslovich, Mendenhall, Musgrove, Newman, Parker, Ryan, Waitschies, Wilson.
Total 25

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 4/23/2003

SB 325, introduced by McGee

SB 408, introduced by Nelson

SB 429, introduced by Esp

SB 493, introduced by Keenan

House amendments to Senate bill concurred in: 4/23/2003

SB 464, introduced by Keenan

House joint resolution concurred in and returned to the House: 4/23/2003

HJR 36, introduced by Pattison

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/23/2003

HB 608, introduced by Windy Boy

Free Conference Committee Report No.1 adopted: 4/23/2003

HB 720, introduced by Hurwitz

SB 360, introduced by F. Thomas

SB 362, introduced by Grimes

April 22, 2003

The Honorable Bob Keenan
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, MT 59620

Re: Senate Bill 270

Dear President Keenan and Speaker Mood:

In accordance with the powers vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with an amendment Senate Bill 270, "AN ACT REVISING THE INDEPENDENT CONTRACTOR EXEMPTION LAWS; IMPOSING A CIVIL PENALTY AND REQUIRING REPAYMENT OF

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UNEMPLOYMENT CONTRIBUTIONS AND WORKERS' COMPENSATION PREMIUMS AGAINST AN EMPLOYER WHO FALSELY MISREPRESENTS AN EMPLOYEE'S STATUS AS AN EXEMPT INDEPENDENT CONTRACTOR; REQUIRING THE DEPARTMENT OF LABOR AND INDUSTRY TO APPOINT AN INTERIM ADVISORY COMMITTEE TO STUDY ISSUES RELATED TO INDEPENDENT CONTRACTORS AND TO MAKE RECOMMENDATIONS TO THE 59TH LEGISLATURE; AMENDING SECTION 39-71-401, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE," for the following reason:

I have no concerns with the objectives of Senate Bill No. 270, or with its specific measures. I recommend, however, that Section 1 (3)(f) be deleted in its entirety. A purpose of the bill is to penalize an independent contractor who misrepresents his or her status as an exempt independent contractor. I trust that the advisory committee, contained in Section 2, will study issues relating to independent contractors as it relates to a working definition and to exemptions of independent contractors from coverage under the Worker's Compensation Act.

I have enclosed my amendment to that effect. I urge your concurrence in this amendment.

Sincerely,

JUDY MARTZ
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 270

1. Title, lines 4 through 15.
Strike: "REVISING" on line 12 through "CONTRACTOR;" on line 15
2. Title, lines 17 and 18.
Following: ";" on line 17
Strike: remainder of line 17 through "MCA;" on line 18
3. Title, line 19.
Strike: "AND AN APPLICABILITY DATE"
4. Page 2, line 3 through page 6, line 9.
Strike: section 1 in its entirety
Renumber: subsequent sections
5. Page 6, line 27.
Strike: "-- applicability"
6. Page 6, lines 28 and 29.
Following: "approval" on line 28
Strike: remainder of line 28 through "act]" on line 29

MOTIONS

Representative Kasten moved to **suspend the rules** for the placement of **HB 11** on second reading this day.

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Representative Kasten withdrew his motion.

Representative R. Brown moved the Speaker dissolve the conference committee and reappoint a Free Conference Committee on **SB 461**.

The Speaker appointed the following members:

Representative Devlin, Chair
Representative Lake
Representative Forrester

UNFINISHED BUSINESS

Minority Leader Wanzenried asked the Speaker for a ruling on **SB 483** and whether it will require a 2/3 vote to bring it back to the floor.

The Speaker ruled that the bill missed the deadline and so requires a 2/3 vote.

Mr. Speaker asked Representative Lewis to postpone the hearing on SB 483.

Committee meetings were announced by the committee chairs.

Representative Lewis announced the postponement of the committee hearing on SB 483.

Majority Leader Brown moved that the House recess until 1:00 p.m. Motion carried.

House recessed at 10:31 a.m.

House reconvened at 1:02 p.m. All members present. Quorum present.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 349**
Report No. 1, April 22, 2003

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 349** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 349** (reference copy -- salmon) be amended as follows:

1. Page 2, line 5 through line 20.

Following: "~~insurance~~" on line 5

Strike: remainder of line 5 through "INSURER" on line 20

Insert: "means a denial, nonrenewal, or cancellation of, an increase in any charge for, or a reduction or other adverse or unfavorable change in the terms of coverage or amount of coverage of any insurance, existing or applied for, in connection with the underwriting of personal insurance"

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2. Page 3, lines 11 and 12.

Following: "insured." on line 11

Strike: remainder of line 11 through "SCORE." on line 12

3. Page 3, line 13 through line 15.

Strike: subsection (9) in its entirety

4. Page 3, line 21.

Following: "~~solely~~"

Insert: "solely"

5. Page 3, line 22.

Strike: "AND SUBSTANTIALLY WEIGHING"

Insert: "any"

Strike: "FACTORS"

Insert: "factor"

6. Page 3, line 24.

Following: "~~renewal~~"

Insert: "renewal"

Following: "~~solely~~"

Insert: "solely"

7. Page 3, line 25.

Strike: "AND SUBSTANTIALLY WEIGHING"

Insert: "any"

Strike: "FACTORS"

Insert: "factor"

8. Page 3, line 27.

Following: "~~solely~~"

Insert: "solely"

9. Page 3, line 28.

Strike: "AND SUBSTANTIALLY WEIGHING"

Insert: "any"

Strike: "FACTORS"

Insert: "factor"

10. Page 4, line 5.

Following: "~~criteria~~"

Insert: "unless the insurer does one of the following:

(a) treats the consumer as otherwise approved by the commissioner if the insurer presents information that the absence or inability relates to the risk for the insurer;

(b) treats the consumer as if the consumer had neither positive nor negative credit information, as defined by the insurer; or

(c) excludes the use of credit information as a factor and uses only other underwriting criteria"

11. Page 4, line 21.

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Following: line 20

Insert: "(i) the insurer is treating the consumer as otherwise approved by the commissioner;"

Renumber: subsequent subsections

12. Page 4, line 30.

Strike: "THE NUMBER OF"

Insert: "promotional, account review, or account management"

13. Page 5, line 1.

Following: "information"

Insert: "or inquiries requested by the consumer for the consumer's own credit information"

14. Page 5, line 6.

Following: "or"

Insert: "or"

15. Page 5, lines 9 and 10.

Following: "considered" on line 9

Strike: remainder of line 9 through "DEBIT CARD" on line 10

16. Page 6, line 9.

Strike: "AT LEAST four"

Insert: "all"

17. Page 6, line 10.

Following: "factors"

Insert: ", up to four,"

18. Page 6, lines 13 and 14.

Following: "section" on line 13

Strike: remainder of line 13 through "EXPLANATION" on line 14

19. Page 6, line 15 through line 19.

Strike: subsection (3) in its entirety

Insert: "(3) provide the consumer with the following information, which must be included with the information provided to the consumer pursuant to subsection (2):

(a) examples of the kinds of information considered by the insurer in the development of the consumer's insurance score;

(b) the name and telephone number of the consumer reporting agency that the insurer used to obtain the consumer's credit information or the third party used to determine the insurance score; and

(c) notice of how the consumer may exercise the consumer's remedies under [sections 5(7) and 6]."

20. Page 6, line 23.

Strike: "MUST"

Insert: "may"

21. Page 6, lines 24 through 26.

Following: "CRITERION" on line 24

Strike: "AS REQUIRED IN"

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Insert: "pursuant to"

Following: "33-16-203" on line 24

Strike: remainder of line 24 through "CODE" on line 26

22. Page 7, line 15.

Following: line 14

Insert: "(2) The restrictions provided in subsection (1) do not apply to data or lists that the consumer reporting agency supplies to the insurance producer from whom information was received, the insurer on whose behalf the insurance producer acted, or the insurer's affiliates or holding companies."

Renumber: subsequent subsection

For the Senate:

Anderson, Chairman
Grimes

For the House:

Steinbeisser, Chairman
Rome

FREE CONFERENCE COMMITTEE
on **Senate Bill 487**
Report No. 1, April 23, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 487** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 487** (reference copy -- salmon) be amended as follows:

1. Title, lines 8 and 9.

Following: "PROJECT;" on line 8

Strike: remainder of line 8 through "PROJECT;" on line 9

Following: "AND"

Insert: "AND"

Strike: "90-5-101."

2. Page 3, lines 1 through 4.

Strike: "\$800" on line 1

Insert: "\$100"

Following: "million." on line 1

Strike: remainder of line 1 through "MILLION." on line 4

3. Page 3, line 10.

Strike: "\$600"

Insert: "\$50"

4. Page 4, line 21.

Insert: "(7) The board is encouraged to consider applications for project financing related to infrastructure and facilities necessary for the development of the state-owned coal assets."

5. Page 4, line 22 through page 6, line 5.

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Strike: section 4 in its entirety
Renumber: subsequent sections

6. Page 6, line 9.
Strike: "THROUGH 4"
Insert: "and 3"

7. Page 6, line 11.
Strike: "5"
Insert: "4"

For the Senate:

Johnson, Chairman
Laible
Pease

For the House:

Bitney, Chairman
Mendenhall
Small-Eastman

MESSAGES FROM THE SENATE

HB 558 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 558:**
4/23/2003

Senator Mahlum, Chair
Senator Barkus
Senator Shea

SB 461 - The Senate acceded to the request of the House, dissolved the Conference Committee on Senate amendments to **SB 461**, and authorized the President to appoint the following **Free** Conference Committee to confer on **SB 461:**
4/23/2003

Senator Story, Chair
Senator DePratu
Senator Stonington

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Brown moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Parker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 5 - Governor's Amendments - Representative Kasten moved Governor's amendments to **HB 5** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson,

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Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 218 - Governor's Amendments - Representative Bookout-Reinicke moved Governor's amendments to **HB 218** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 247 - Governor's Amendments - Representative Harris moved Governor's amendments to **HB 247** be **not** concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan,

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Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 89

Noes: Barrett, D. Brown, Everett, Fuchs, Hawk, Jackson, Kasten, Mendenhall, Newman, Rice, Sales.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 609 - Governor's Amendments - Representative Windy Boy moved Governor's amendments to **HB 609** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 492 - Representative Hedges moved **SB 492** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 98

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Noes: Dickenson, Golie.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 29 - Representative Forrester moved **SJR 29** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 84

Noes: Bitney, Everett, Hawk, Jackson, Jayne, Lake, Malcolm, Mendenhall, Morgan, Pattison, Sales, Sinrud, Steinbeisser, Waitschies, Weiss.
Total 15

Excused: None.
Total 0

Absent or not voting: Wanzenried.
Total 1

SJR 32 - Representative Roberts moved **SJR 32** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 94

Noes: Jayne, Malcolm, Sales, Shockley, Waitschies.
Total 5

Excused: None.
Total 0

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Absent or not voting: Bookout-Reinicke.
Total 1

SB 325 - Governor's Amendments - Representative Noennig moved Governor's amendments to **SB 325** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 93

Noes: Buzzas, Callahan, Franklin, Galvin-Halcro, Kaufmann, Wilson.
Total 6

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke.
Total 1

SB 408 - Governor's Amendments - Representative Waitschies moved Governor's amendments to **SB 408** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Balyeat, Gallus, Newman, Sales.
Total 4

Excused: None.
Total 0

Absent or not voting: Fuchs.
Total 1

SB 429 - Governor's Amendments - Representative Wagman moved Governor's amendments to **SB 429** be concurred in. Motion carried as follows:

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Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 53

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 47

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 13 - Free Conference Committee Report No. 1 - Representative Lewis moved the Free Conference Committee report to **HB 13** be **not** adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Balyeat, Everett, Fuchs, Jackson, Kasten, Morgan, Rice, Sales, Sinrud.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 720 - Free Conference Committee Report No. 1 - Representative Hurwitz moved the Free Conference Committee report to **HB 720** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Devlin, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross,

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Ryan, Sales, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Witt, Younkin, Mr. Speaker.

Total 75

Noes: Becker, Bixby, Branae, Buzzas, Cohenour, Cyr, Dickenson, Dowell, Erickson, Franklin, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Jacobson, Jayne, Jent, Juneau, Kaufmann, Raser, Small-Eastman, Weiss, Windy Boy.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 252 - Free Conference Committee Report No. 1 - Representative Sinrud moved the Free Conference Committee report to **SB 252** be adopted. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 52

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 47

Excused: None.

Total 0

Absent or not voting: R. Brown.

Total 1

SB 130 - Free Conference Committee Report No. 1 - Representative Peterson moved the Free Conference Committee report to **SB 130** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Franklin, Fuchs, Gallus, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 74

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Noes: Balyeat, Bergren, Bixby, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dowell, Erickson, Fritz, Gallik, Galvin-Halcro, Gutsche, Harris, Jayne, Jent, Juneau, Kaufmann, Keane, Parker, Small-Eastman, Smith, Wanzenried, Weiss.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 304 - Conference Committee Report No. 1 - Representative Lewis moved the Conference Committee report to **SB 304** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, E. Clark, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Franklin, Fuchs, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jayne, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 81

Noes: Bixby, Carney, P. Clark, Cohenour, Dowell, Erickson, Forrester, Fritz, Gallik, Gutsche, Harris, Jacobson, Jent, Kaufmann, Laslovich, B. Olson, Small-Eastman, Smith, Wanzenried.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 326 - Free Conference Committee Report No. 1 - Representative Younkin moved the Free Conference Committee report to **SB 326** be adopted. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Galvin-Halcro, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 54

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, McKenney, Mendenhall, Musgrove, Newman, Parker, Raser, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy.

Total 45

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Excused: None.
Total 0

Absent or not voting: Noennig.
Total 1

SB 330 - Conference Committee Report No. 1 - Representative Bitney moved the Conference Committee report to **SB 330** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Dowell, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 83

Noes: Balyeat, Callahan, Cohenour, Erickson, Everett, Franklin, Gallik, Gillan, Gutsche, Jacobson, Jayne, Kaufmann, Lewis, Lindeen, Sales, Weiss.
Total 16

Excused: None.
Total 0

Absent or not voting: Waitschies.
Total 1

SB 347 - Conference Committee Report No. 1 - Representative E. Clark moved the Conference Committee report to **SB 347** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: Buzzas.
Total 1

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

SB 360 - Free Conference Committee Report No. 1 - Representative McKenney moved the Free Conference Committee report to **SB 360** be adopted. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fuchs, Gallus, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Keane, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 75

Noes: Ballantyne, Bergren, Bixby, Buzzas, Callahan, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gutsche, Juneau, Kaufmann, Laslovich, Lindeen, Musgrove, Raser, Small-Eastman, Smith, Weiss.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 375 - Free Conference Committee Report No. 1 - Representative Barrett moved the Free Conference Committee report to **SB 375** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.

Total 97

Noes: P. Clark, Newman, Witt.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 395 - Conference Committee Report No. 1 - Representative Wagman moved the Conference Committee report

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to **SB 395** be adopted. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Cohenour, Devlin, Everett, Fisher, Forrester, Franklin, Fuchs, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 63

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dickenson, Dowell, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Lindeen, Musgrove, Newman, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Parker moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Devlin, Dickenson, Everett, Fisher, Fritz, Fuchs, Gallus, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 64

Noes: Becker, Bergren, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dowell, Erickson, Facey, Forrester, Franklin, Gallik, Galvin-Halcro, Gibson, Gillan, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Lindeen, Newman, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the

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following manner:

SB 485 concurred in as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cyr, Devlin, Dickenson, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Galvin-Halcro, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrumpf, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 60

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, P. Clark, Cohenour, Dowell, Facey, Franklin, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lindeen, Musgrove, Parker, Raser, Ryan, Sales, Shockley, Sinrud, Small-Eastman, Smith, Wanzenried, Wilson.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 490 concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 95

Noes: Callahan, Galvin-Halcro, Lawson, Lindeen, Wanzenried.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 271**

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Report No. 1, April 23, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 271** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 271** (reference copy -- salmon) be amended as follows:

1. Title, line 4.

Strike: "AUTHORIZING"

Insert: "REQUIRING THAT"

2. Title, line 11.

Following: "INDUSTRY;"

Insert: "INCREASING THE DEBT LIMIT UNDER THE MUNICIPAL FINANCE CONSOLIDATION ACT; AUTHORIZING A LOAN TO THE DEPARTMENT OF REVENUE FOR THE REPLACEMENT SYSTEM; REQUIRING THE DEPARTMENT OF REVENUE TO IMPOSE AN ADMINISTRATIVE CHARGE FOR TAX COLLECTION SERVICES; REQUIRING THE ADMINISTRATIVE CHARGE TO BE DEPOSITED IN AN ACCOUNT TO BE USED TO PAY THE DEBT SERVICE ON LOANS ISSUED FOR THE REPLACEMENT SYSTEM; APPROPRIATING MONEY FOR DEPARTMENT OF REVENUE'S TRANSITION COSTS AND FOR LOAN REPAYMENT;"

3. Title, line 12.

Following: "~~15-30-249~~;"

Insert: "15-1-501, 17-5-1608, 17-5-2001,"

4. Title, line 14.

Strike: "A CONTINGENT"

5. Title, line 15.

Strike: "DATE"

Insert: "DATES"

6. Page 1, line 21.

Strike: "MAY"

Insert: "shall"

7. Page 1, line 24.

Strike: "MAY"

Insert: "must"

8. Page 1, line 28.

Strike: "MAY"

Insert: "shall"

9. Page 5, line 19.

Insert: "**Section 2.** Section 15-1-501, MCA, is amended to read:

"**15-1-501. Disposition of money from certain designated license and other taxes.**(1) ~~The~~ Except as

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provided in subsection (5), the state treasurer shall deposit to the credit of the state general fund in accordance with the provisions of subsection (3) all money received from the collection of:

- (a) income taxes, interest, and penalties collected under chapter 30;
- (b) all taxes, interest, and penalties collected under chapter 31;
- (c) oil and natural gas production taxes distributed to the general fund under 15-36-324;
- (d) electrical energy producer's license taxes under chapter 51;
- (e) the retail telecommunications excise tax collected under Title 15, chapter 53, part 1;
- (f) liquor license taxes under Title 16;
- (g) fees from driver's licenses, motorcycle endorsements, and duplicate driver's licenses as provided in 61-5-121;
- (h) estate taxes under Title 72, chapter 16; and
- (i) fees based on the value of currency on deposit and tangible personal property held for safekeeping by a foreign capital depository as provided in 15-31-803.

(2) The department shall also deposit to the credit of the state general fund all money received from the collection of license taxes and all net revenue and receipts from all sources, other than certain fees, under the operation of the Montana Alcoholic Beverage Code.

(3) Notwithstanding any other provision of law, the distribution of tax revenue must be made according to the provisions of the law governing allocation of the tax that were in effect for the period in which the tax revenue was recorded for accounting purposes. Tax revenue must be recorded as prescribed by the department of administration, pursuant to 17-1-102(2) and (4), in accordance with generally accepted accounting principles.

(4) All refunds of taxes must be attributed to the funds in which the taxes are currently being recorded. All refunds of interest and penalties must be attributed to the funds in which the interest and penalties are currently being recorded.

(5) The administrative assessment provided for in [section 5] must be deposited in an account in the state special revenue fund to the credit of the department."

Insert: "Section 3. Section 17-5-1608, MCA, is amended to read:

"17-5-1608. (Temporary) Limitations on amounts. The board may not issue any bonds or notes that cause the total outstanding indebtedness of the board under this part, except for bonds or notes issued to fund or refund other outstanding bonds or notes or to purchase registered warrants or tax or revenue anticipation notes of a local government as defined in 7-6-1101, to exceed ~~\$80~~ \$120 million. (Terminates June 30, 2011--sec. 9, Ch. 394, L. 2001.)

17-5-1608. (Effective July 1, 2011) Limitations on amounts. The board may not issue any bonds or notes that cause the total outstanding indebtedness of the board under this part, ~~(except for bonds or notes issued to fund or refund other outstanding bonds or notes or to purchase registered warrants or tax or revenue anticipation notes of a local government as defined in 7-6-1101),~~ to exceed ~~\$75~~ \$120 million."

Insert: "Section 4. Section 17-5-2001, MCA, is amended to read:

"17-5-2001. (Temporary) Loans to state agencies. (1) An agency responsible for the procurement and provision of vehicles, automated systems, and equipment using an enterprise fund or an internal service fund, as described in 17-2-102, is authorized to enter into contracts, loan agreements, or other forms of indebtedness payable over a term not to exceed 7 years for the purpose of financing the cost of the vehicles and equipment and to pledge to the repayment of the indebtedness the revenue of the enterprise fund or internal service fund if:

- (a) the term of the indebtedness does not exceed the useful life of the items being financed; and
- (b) at the time that the indebtedness is incurred, the projected revenue of the fund, based on the fees and charges approved by the legislature and other available fund revenue, will be sufficient to repay the indebtedness over the proposed term and to maintain the operation of the enterprise.

(2) (a) The department of justice is authorized to enter into contracts, loan agreements, or other forms of indebtedness with the board of investments for an amount not to exceed \$4.5 million, payable over a term not to exceed 10 years, for financing the cost of an information technology system for the production and maintenance of motor vehicle title and registration records and driver's license records.

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(b) For purposes of the financing of the motor vehicle information technology system, loans are payable from the money in the motor vehicle information technology system account as provided in 61-3-550. The term of the indebtedness may not exceed the useful life of the items being financed. At the time that the loan is made, the projected revenue of the motor vehicle information technology system account, based upon the fees approved by the legislature, must be sufficient to repay the indebtedness over the proposed term.

(3) (a) The department of justice is authorized to enter into contracts, loan agreements, or other forms of indebtedness with the board of investments for an amount not to exceed \$1,120,000, payable over a term not to exceed 7 years, for the acquisition of video gambling automated accounting and reporting system data collection units.

(b) The loan is payable from the department of justice's annual appropriation from the general fund.

(c) The term of the indebtedness may not exceed the useful life of the items being financed. At the time that the loan is made, the department of justice's base budget appropriation from the general fund must be sufficient to repay the indebtedness with respect to the video gambling data collection units over the proposed term of the loan.

(d) The loan is subject to the risk of nonappropriation.

(4) (a) If bonds are not issued for the project authorized in [section 1], the department of revenue is authorized to enter into contracts, loan agreements, or other forms of indebtedness with the board of investments for an amount not to exceed \$17 million, payable over a term not to exceed 7 years, for the acquisition of a replacement system for the process oriented integrated system (POINTS) computer system.

(b) The loan is payable from the department of revenue's appropriation from the administrative assessment provided for in [section 5].

(c) The term of the indebtedness may not exceed the useful life of the items being financed. At the time that the loan is made, the projected revenue from the administrative assessment provided for in [section 5] must be sufficient to repay the indebtedness with respect to the replacement system over the proposed term of the loan.

(d) The loan is subject to the risk of nonappropriation.

(Terminates June 30, 2011--sec. 9, Ch. 394, L. 2001.)

17-5-2001. (Effective July 1, 2011) Loans to state agencies. An agency responsible for the procurement and provision of vehicles and equipment using an enterprise fund or an internal service fund, as described in 17-2-102, is authorized to enter into contracts, loan agreements, or other forms of indebtedness payable over a term not to exceed 7 years for the purpose of financing the cost of the vehicles and equipment and to pledge to the repayment of the indebtedness the revenue of the enterprise fund or internal service fund if:

(1) the term of the indebtedness does not exceed the useful life of the items being financed; and

(2) at the time that the indebtedness is incurred, the projected revenue of the fund, based on the fees and charges approved by the legislature and other available fund revenue, will be sufficient to repay the indebtedness over the proposed term and to maintain the operation of the enterprise."

"NEW SECTION. Section 5. Administrative assessment. The department shall establish a fee of up to 0.45% of selected taxes collected by the department in order to recover costs and expenses associated with the POINTS replacement system described in [section 1]. The fee must be set annually to provide revenue equal to the debt service on the bonds authorized in 17-5-1608 or the projected principal and interest payments on the loan provided for in 17-5-2001.

(2) The department shall deposit the fee in an account in the state special revenue fund to the credit of the department.

(3) The department may adopt rules for identifying which taxes the administrative fee applies to and establishing the rate of the fee.

Renumber: subsequent sections

10. Page 13, line 16.

Insert: "NEW SECTION. Section 11. Deposit of loan proceeds -- capital projects appropriation. (1) The proceeds of any loan from the board of investments to the department of revenue for replacement of the POINTS computer system must be deposited in the capital projects fund.

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(2) There is appropriated from the capital projects fund to the department of administration up to \$17 million for the replacement system described in [section 1].

(3) The department of revenue and the department of administration are prohibited from using any of the proceeds from the loan for the replacement system authorized by [section 1] for agency current level operating expenses. Loan proceeds appropriated under this section may be expended for project administration and implementation, including software and required hardware, software licensing, and extraordinary personal and contracted services.

(4) The appropriation continues until June 30, 2005."

"NEW SECTION. Section 12. Appropriation. (1) There is appropriated from the general fund to the department of revenue \$2,391,385 for the biennium ending June 30, 2005. This appropriation is to provide for the replacement of POINTS and the transfer of responsibility for unemployment insurance collections to the department of labor and industry. The department of revenue may use the appropriated funds for expenses necessary to ensure the smooth transition of existing POINTS data and systems to the replacement systems, including expenses for training, personal and contracted services, data and software cleanup, clearing backlog, correcting and realigning tax and collection data, preparing and executing conversion strategies, maintaining currency, and converting historic data.

(2) There is appropriated \$1.9 million from the state special revenue account for administrative assessments provided for in [section 5] to the department of revenue for the biennium ending June 30, 2005, for the payment of debt service on the bonds authorized in 17-5-1608 or the projected principal and interest payments on the loan provided for in 17-5-2001.

Insert: **"NEW SECTION. Section 13. Codification instruction.** [Sections 1 and 5] are intended to be codified as an integral part of Title 15, chapter 1, part 1, and the provisions of Title 15, chapter 1, part 1, apply to [sections 1 and 5]."

Renumber: subsequent sections

11. Page 13, line 25.

Strike: "SUBSECTION (2)"

Insert: "subsections (2) and (3)"

12. Page 13, line 26.

Strike: "4 THROUGH 6"

Insert: "8 through 10"

13. Page 13, line 28.

Insert: "(3) [Sections 2, 5, and 12] are effective July 1, 2003."

14. Page 13, line 29.

Strike: "3"

Insert: "7"

15. Page 14, line 4.

Insert: "NEW SECTION. Section 18. Termination. [Sections 1, 4, and 5] terminate June 30, 2011."

For the Senate:

Glaser, Chairman
Stapleton

For the House:

Brueggeman, Chairman
Pattison
Wanzenried

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FREE CONFERENCE COMMITTEE
on **Senate Bill 314**
Report No. 1, April 23, 2003

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 314** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 314** (reference copy -- salmon) be amended as follows:

1. Title, line 7 through line 8.

Strike: "WHICH" on line 7 through "IS" on line 8

Following: "FUNDS"

Insert: "OR REMAINING TOBACCO SETTLEMENT PROCEEDS"

2. Title, line 9.

Following: line 8

Insert: "AND"

Following: "MCA"

Strike: remainder of line 9 through "DATE"

3. Page 1, line 14.

Strike: "To"

Insert: "Except as provided in subsection (5), to"

4. Page 1, line 16.

Strike: "18"

Insert: "17"

5. Page 2, line 3.

Following: "FUNDS"

Insert: "or tobacco settlement proceeds as provided in subsection (5)(c)"

6. Page 2, line 4.

Following: "IF"

Insert: "the child is 18 years of age or younger and"

7. Page 2, line 5.

Strike: "(1)(A) AND"

8. Page 2, line 8 through line 13.

Strike: subsection (c) in its entirety

Insert: "(c) Tobacco settlement proceeds not otherwise appropriated from the two state special revenue accounts provided for in 17-6-606(2) and (3) are allocated to the program for use as matching funds for the purposes of subsection (5)(a) for the program for the biennium ending June 30, 2005."

9. Page 2, line 16.

Strike: section 2 in its entirety

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For the Senate:

Stapleton, Chairman
Esp
McCarthy

For the House:

E. Clark, Chairman
B. Thomas

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 493, introduced by Keenan (by request of the Senate Finance Standing Committee), referred to Appropriations.

Majority Leader Brown moved that the House recess until 3:20 p.m. for caucuses. Motion carried.

House recessed at 3:01 p.m.

House reconvened at 3:24 p.m. All members present. Quorum present.

MOTIONS

Representative Lehman moved to **suspend the rules** for the late transmittal of **HB 489** and that it be placed on second reading Legislative Day 87. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Franklin, Gallus, Ryan, Wilson.
Total 4

Excused: None.
Total 0

Absent or not voting: Haines, Jent, Kaufmann, Keane, Smith.
Total 5

Representative R. Brown moved to **suspend the rules** for the late transmittal of **HB 363** and that it be placed on second reading Legislative Day 87. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Devlin, Dowell, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove,

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Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 70

Noes: Balyeat, Bergren, Bixby, Buzzas, P. Clark, Cohenour, Cyr, Dickenson, Erickson, Franklin, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jayne, Juneau, Kasten, Kaufmann, Newman, Raser, Ryan, Shockley, Small-Eastman, Smith, Weiss, Wilson.
Total 29

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

Representative R. Brown moved to **suspend the rules** for the late transmittal of **HB 736** and that it be placed on second reading Legislative Day 87. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 85

Noes: Ballantyne, Bergren, Buzzas, Callahan, Dickenson, Franklin, Gallus, Galvin-Halcro, Gillan, Golie, Lindeen, Parker, Ryan, Wilson.
Total 14

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

Representative Younkin moved to **suspend the rules** for the late transmittal of **HB 206** and that it be placed on second reading Legislative Day 87. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Facey, Fisher, Forrester, Fritz, Gallik, Gibson, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrumpf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 76

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Noes: Balyeat, Bergren, Buzzas, Callahan, P. Clark, Dowell, Erickson, Everett, Franklin, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Jayne, Juneau, Lindeen, Raser, Ryan, Sales, Shockley, Wilson.
Total 23

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

Representative R. Brown moved to **suspend the rules** for the late transmittal of **HB 42** and that it be placed on second reading Legislative Day 87. Motion (requiring a 2/3 vote) **failed** as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Gallik, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 55

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lenhart, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 44

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

Representative R. Brown moved to **suspend the rules** for the late transmittal of **HB 608** and that it be placed on second reading Legislative Day 87. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Raser, Rice, Ross, Schruppf, Small-Eastman, Smith, Stoker, Thomas, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 75

Noes: Balyeat, E. Clark, Devlin, Everett, Fuchs, Gallus, Hawk, Jackson, Lewis, Malcolm, Mendenhall, Peterson, Ripley, Roberts, Rome, Ryan, Sales, Shockley, Sinrud, Steinbeisser, Wagman, Waitschies, Witt.
Total 23

Excused: None.

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Total 0

Absent or not voting: Bookout-Reinicke, Keane.

Total 2

Representative R. Brown moved to **suspend the rules** for the purpose of a late committee hearing on **SB 421**. Motion (requiring a 2/3 vote) **failed** as follows:

Ayes: Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, R. Brown, Brueggeman, Buzzas, E. Clark, Cohenour, Devlin, Everett, Facey, Fisher, Fuchs, Gallik, Haines, Hedges, Hurwitz, Jackson, Jacobson, Juneau, Kaufmann, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Noennig, B. Olson, Peterson, Roberts, Rome, Schrumpf, Shockley, Smith, Stoker, Thomas, Wagman, Wanzenried, Witt, Younkin, Mr. Speaker.

Total 54

Noes: Andersen, Branae, D. Brown, Callahan, Carney, P. Clark, Cyr, Dickenson, Dowell, Erickson, Forrester, Franklin, Fritz, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hawk, Jayne, Jent, Kasten, Keane, Laslovich, Lenhart, Lindeen, Morgan, Newman, A. Olson, Parker, Pattison, Raser, Rice, Ripley, Ross, Ryan, Sales, Sinrud, Small-Eastman, Steinbeisser, Waitschies, Weiss, Wilson, Windy Boy.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Kasten moved to **suspend the rules** for the late transmittal of **HB 11** and that it be placed on second reading Legislative Day 87. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 94

Noes: Bergren, D. Brown, Gallus, Ryan, Sinrud.

Total 5

Excused: None.

Total 0

Absent or not voting: Juneau.

Total 1

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Representative Wanzenried moved to **reconsider action** on **HJR 45** and that it be placed back on third reading Legislative Day 87. Motion carried as follows:

Ayes: Ballantyne, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Laslovich, Lenhart, Lewis, Lindeen, Musgrove, Newman, Noennig, Parker, Raser, Ryan, Schrupf, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy, Mr. Speaker.
Total 58

Noes: Andersen, Balyeat, Barrett, Bitney, D. Brown, Brueggeman, Everett, Fuchs, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Laszloffy, Lawson, Lehman, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 8:00 a.m., Thursday, April 24, 2003. Motion carried.

House adjourned at 3:38 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House